

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HEALTH COALITION, INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 05-cv-11816 MEL
NEW ENGLAND ALLERGY ASTHMA)	
IMMUNOLOGY & PRIMARY CARE,)	
P.C. and THOMAS F. JOHNSON,)	
Individually)	
)	
Defendants.)	
)	

JOINT STATEMENT FOR SCHEDULING

Pursuant to the Court's Order issued in connection with the Scheduling Conference held on April 13, 2006, plaintiff Health Coalition, Inc. ("HCI") and defendants New England Allergy Asthma Immunology & Primary Care, P.C. ("New England Allergy") and Dr. Thomas F. Johnson ("Dr. Johnson") (collectively the "Defendants") submit the following joint discovery proposal.¹

PROPOSED PRE-TRIAL SCHEDULE

A proposed pre-trial schedule, including a joint discovery plan and proposed schedule for the filing of motions, is as follows:

EVENT	PLAINTIFF'S PROPOSED DATES	DEFENDANTS' PROPOSED DATES
Fact discovery completed by:	August 14, 2006	October 14, 2006
Expert disclosures shall be made as required by Rule 26(a)(2) and Local Rules 16.5(C) and 26.4(A) by:	August 28, 2006	October 28, 2006

¹ Because the parties could not reach agreement on a proposed schedule, the parties identify separately herein their proposed dates. Defendants' proposal adds sixty days to the dates proposed by plaintiff.

EVENT	PLAINTIFF'S PROPOSED DATES	DEFENDANTS' PROPOSED DATES
Rebuttal expert disclosures shall be made by:	September 11, 2006	November 11, 2006
Expert discovery to be completed by:	October 9, 2006	December 9, 2006
All dispositive motions, including those pursuant to Fed. R. Civ. P. 56, filed by:	November 6, 2006	January 6, 2007
Final Pre-trial Conference	January 15, 2007	March 15, 2007
Trial Ready	February 12, 2007	April 12, 2007

Respectfully submitted,

HEALTH COALITION, INC.,

By its attorneys,

/s/ Brian M. Forbes

Jeffrey S. King (BBO# 559000)

jking@klng.com

Brian M. Forbes (BBO# 644787)

bforbes@klng.com

Stacey L. Gorman (BBO# 655147)

sgorman@klng.com

KIRKPATRICK & LOCKHART

NICHOLSON GRAHAM LLP

State Street Financial Center

One Lincoln Street

Boston, MA 02111

Tele: (617) 261-3100

Fax: (617) 261-3175

NEW ENGLAND ALLERGY ASTHMA
IMMUNOLOGY & PRIMARY CARE, P.C.,

By its attorneys,

/s/ Peter J. Haley (w/permission)

Peter J. Haley

haley@gordonhaley.com

Leslie F. Su

LSU@gordonhaley.com

GORDON HALEY LLP

101 Federal Street

Boston, MA 02110

(617) 261-0100

(617) 261-0789

DR. THOMAS F. JOHNSON,

By his attorneys,

/s/ William H. DiAdamo (w/permission)

William H. DiAdamo (BBO #558883)

WILLIAM H. DIADAMO LAW OFFICE LLP

40 Appleton Way

Lawrence, MA 01840

(978) 685-4271

Arthur J. McCabe

artmccabe@mccabeassoc.com

ARTHUR J. MCCABE & ASSOCIATES, P.C.

One Elm Square

Andover, MA 01810

Dated: May 12, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non registered participants by first-class mail, on this 12 day of May, 2006.

/s/ Brian M. Forbes

Brian M. Forbes